

been paid) and then make an advance payment of the full amount of the estimated fee before the new or pending request is processed.

(c) Interest charges may be assessed on any unpaid bill starting on the 31st day following the day on which the billing was sent at the rate prescribed in 31 U.S.C. 3717 and will accrue from the date of billing.

(d) The Debt Collection Act of 1982, Pub. L. 97-365, including disclosure to consumer credit reporting agencies and the use of collection agencies will be utilized to encourage payment where appropriate.

[54 FR 3023, Jan. 23, 1989]

PART 2703—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Sec.

2703.1 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

2703.2 Designated Agency Ethics Official and Alternate Designated Agency Ethics Official.

AUTHORITY: 5 U.S.C. 7301; 5 CFR 2638.202.

SOURCE: 61 FR 39872, July 31, 1996, unless otherwise noted.

§ 2703.1 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

Members and employees of the Federal Mine Safety and Health Review Commission are subject to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635; the Commission's regulations at 5 CFR part 8401, which supplement the executive branch-wide standards; and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

§ 2703.2 Designated agency ethics official and alternate designated agency ethics official.

The Chairman shall appoint an individual to serve as the designated agency ethics official, and an individual to serve in an acting capacity in the absence of the primary designated agency ethics official (alternate designated agency ethics official), to coordinate and manage the Commission's ethics program.

PART 2704—IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN COMMISSION PROCEEDINGS

Subpart A—General Provisions

Sec.

2704.100 Purpose of these rules.

2704.101 Definitions.

2704.102 When the Act applies.

2704.103 Proceedings covered.

2704.104 Eligibility of applicants.

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2704.106 Allowable fees and expenses.

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2704.108 Awards.

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Subpart B—Information Required From Applicants

2704.201 Contents of application.

2704.202 Net worth exhibit.

2704.203 Documentation of fees and expenses.

2704.204 When an application may be filed.

Subpart C—Procedures for Considering Applications

2704.301 Filing and service of documents.

2704.302 Answer to application.

2704.303 Reply.

2704.304 Comments by other parties.

2704.305 Settlement.

2704.306 Further proceedings on the application.

2704.307 Decision of administrative law judge.

2704.308 Commission review.

2704.309 Judicial review.

2704.310 Payment of award.

AUTHORITY: Sec. 203(a)(1), Pub. L. 96-481, 94 Stat. 2325 (5 U.S.C. 504(c)(1)); Pub. L. 99-80, 99 Stat. 183.

SOURCE: 47 FR 10001, Mar. 9, 1982, unless otherwise noted.

Subpart A—General Provisions

§ 2704.100 Purpose of these rules.

The Equal Access to Justice Act, 5 U.S.C. 504 (called "the Act"), provides for the award of attorney fees and other expenses to eligible individuals and entities who are parties to certain administrative proceedings (called "adversary adjudications") before this Commission. An eligible party may receive an award when it prevails over the Department of Labor, Mine Safety